

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

YASSIN YUSUF (29)

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No. 3:10-00260
JUDGE HAYNES

MOTION TO DISMISS

Come now the Defendants Yassin Yusuf and Abdullahi Hashi, through counsel, and respectfully moves this Honorable Court to dismiss this case due to continued *Brady* violations.

In support of this motion the Defendant Yusuf would show as follows:

1. On April 11, 2012 JD2 testified that she was detained at the Juvenile Detention Center for two days in Nashville in April 2009 and on April 9, 2012 she testified that she first learned that her stepfather was her biological father this past Friday (April 6, 2012) ;
2. Defendant counsel did not have any discovery related to this detention. Today, on April 12, 2012 at sometime between 10:00 a.m. and 11:00 a.m. counsel was furnished by the Government with the whole file from the Juvenile Court of Nashville/Davidson County, Tennessee regarding this detention;
3. The report reveals an arrest report dated April 29, 2012 in which JD2 was charged as a runaway. The report reveals a "Statement of Child's Rights" in which JD2 is advised of her right to remain silent;

*ORDER
Dismissal
was withdrawn
and is DENIED
as moot.
[Signature]
4/16/12*